

REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
CITY OF FRANKFORT, KENTUCKY

MARCH 17, 2003  
5:00 P.M. (EST)

PRESENT: Commissioner Lynn Bowers  
Commissioner Tracey Turner Thurman  
Commissioner Andrew S. Layson  
Commissioner Robert Roach  
Mayor William I. May, Jr. (5)  
ABSENT: None (0)

Invocation by Rev. Jack Brewer, First United Methodist Church.

Following roll call, it was moved by Commissioner Thurman, seconded by Commissioner Layson, that the reading of the minutes of February 20, 2003 Regular Meeting be dispensed with and approved. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

**Mayor's Report:**

Mayor May reported Congressman Ernie Fletcher presented PRIDE Grant Awards to recipients in a ceremony on March 10, 2003, at Cove Spring Park, with the City of Frankfort being one of the recipients.

**Ceremonial Items:**

Item 2.1 Police Chief Ted Evans introduced Police Department Chaplains Reverend Daniel E. Wilson, United Pentecostal Church; and Reverend Stephen Butler, Grace Fellowship, followed by brief remarks from each. Reverend William A. Hartung, Shelby County Baptist Ministerial Association, who is also a Police Chaplain, was not able to attend.

**Ordinances:**

Item 3.1 "AN ORDINANCE AMENDING FRANKFORT-FRANKLIN COUNTY ZONING DISTRICT REGULATIONS, ARTICLE 4, SECTION 4.41 SPECIAL CAPITOL DISTRICT; ARTICLE 12, SECTION 12.01 PARKING REQUIRED IN VARIOUS ZONING DISTRICTS; AND ARTICLE 17 ARCHITECTURAL REVIEW BOARD" was presented and read.

Item 3.2 "AN ORDINANCE REZONING PROPERTY LOCATED AT 116 EAST SECOND STREET FROM "SC" TO "CG" AND PROPERTIES LOCATED AT 124, 126, AND 128 EAST SECOND STREET FROM "SC" TO "CL" was presented and read.

Item 3.3 "AN ORDINANCE AMENDING ORDINANCE NO. 1, 2001 SERIES; ORDINANCE NO. 18, 2002 SERIES; AND FRANKFORT MUNICIPAL CODE SECTION 2.93.050 - BI-WEEKLY RATES" was presented and read. This ordinance had its first reading March 10, 2003. It was moved by Commissioner Thurman, seconded by Commissioner Roach, that the ordinance be put upon its final adoption. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted. (Ordinance No. 4, 2003 Series)

**Consent Calendar:**

The following miscellaneous and personnel items were presented:

- 6.1 Authorization to solicit bids for Pool Chemicals for the 2003 Swimming Season (Parks & Recreation);
- 6.2 Authorization to extend sanitary sewer system to make service available to Tract 1 in Brighton Park, which is zoned PR development for one lot, and authorize Mayor to execute contract between the City of Frankfort and Jim Ashcraft, Developer (Sewer Department);

- 6.3 Authorization to extend sanitary sewer system to make service available to Augusta Subdivision on Cardwell Lane, and authorize Mayor to execute contract between the City of Frankfort and William O. Crumbaugh, Developer (Sewer Department);
- 6.4 Change Order No. 1 on a contract between the City of Frankfort and Frankfort Plant Board to increase the contract amount by \$5,053.52 to cover additional materials and labor costs for cable extension to nine (9) new lots in the Frankfort Research & Office Park, with service being extended from Public Service Commission lot rather than Commonwealth Credit Union lot, and authorize Mayor to execute the Change Order (Public Works Department);
- 6.5 Allocation of budgeted funds to the Frankfort/Franklin County Planning Commission in amount of \$30,000.00 for implementation of Zoning Update work identified in the 2001 Comprehensive Plan, with funding from professional services account 100.70.53265 (Planning & Building Codes);
- 6.6 Change Order No. 1 on the Underground Wiring Project at Juniper Hill Park in the amount of \$3,325.00, for installing conduit to Golf Course Maintenance Barn and extending data and telephone conduit into Central Office, increasing contract price to Wilkins Electric from \$17,640.00 to \$20,965.00, with funding from Capital Improvements Account (Parks & Recreation);
- 6.7 Authorization to apply for FEMA Grant Funds to be used for training and public education purposes, with funding requirement on 10% matching basis of up to \$32,000.00 for fiscal year 2003-04 ( Fire Department);
- 6.8 Personnel:
  - \$ Appointment of James T. Bingham, William M. Satterley and Justin D. Austin to position of Maintenance Worker, Sanitation Division, effective April 1, 2003, Public Works Department;
  - \$ Appointment of Robert Hewitt to position of Senior Staff Planner effective April 7, 2003, Planning & Building Codes;
  - \$ Appointment of Meri Dona Thakurdas to position of Staff Planner effective March 24, 2003, Planning & Building Codes;
  - \$ Appointment of Ann Tucker Clark to position of Telecommunicator, Part Time, effective April 1, 2003, Communications Department;
  - \$ Accept resignation of Donald P. Hedden, Bus Driver, Part Time, Transit Division, effective February 20, 2003, Public Works Department;
  - \$ Accept resignation of Brian Kuykendall from position of Firefighter, effective March 25, 2003, and authorize payment of 96 hours accrued vacation leave and 40 hours accrued holiday leave, Fire Department;

It was moved by Commissioner Bowers, seconded by Commissioner Roach, that all of the above listed miscellaneous and personnel items be approved. All members being present and no objection having been filed with the City Clerk, the motion was thereupon adopted by general consent

## **Old Business**

Commissioner Bowers recommended allowing the City Manager to move forward with employee satisfaction/needs assessment and citizenship academy/implementing citizens survey. Following discussion, employee relation and community relation activities to be discussed at future work session.

Commissioner Bowers suggested Board members bring calendars to all meetings for scheduling of special meetings.

## **New Business:**

Item 9.1 Upon recommendation of the City Manager, it was moved by Commissioner Bowers, seconded by Commissioner Layson, that authorization be granted to solicit Request for Qualifications/Request for Proposals from Architectural Firms to perform a Space Utilization Study and Prepare a Siting Plan for a New Maintenance Building for the Sewer Department. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Item 9.2 Upon recommendation of the City Manager, it was moved by Commissioner Roach, seconded by Commissioner Layson, that Change Order #1 for the Streetscape Phase 2 Project with Meyer-Midwest, Inc., be approved in the amount of \$102,638.92, to provide for installation of fourteen (14) streetlights along North

Broadway at a cost of \$79,909.00; concrete roadway encasement in amount of \$13,300.00; streetlight base plates in amount of \$3,200.00; additional costs for railroad bore in amount of \$1,463.17; and north Lewis Street storm sewer repair in amount of \$4,766.75; increasing contract price from \$422,030.55 to \$524,669.47; with funding from Commonwealth of Kentucky, Finance and Administration Cabinet, in amount of \$68,000.00 for installing eleven (11) streetlights and conduit in front of Old Capitol Building and remaining funds from Transportation Improvement Account. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

**Citizen Comments:**

Anne Gibbs, Board members should bring their calendars to meetings for setting up unscheduled meetings.

**Commissioner Comments:**

Commissioner Thurman requested from City Manager information on creating a task force on sewer policies with regard to number of members and representation, i.e., plumbing contractors, citizens and Sewer Department; and establishing purpose and time frame for work.

Commissioners Layson and Thurman suggested ads be placed in newspaper for notifying public of special topic meetings.

Commissioner Bowers clarified her vote on motion for library building, being in favor of purchasing the building but opposed to selling the Wapping Street Parking Lot; thanked Big Brothers/Big Sisters Bowl-A-Thon participants and sponsors; thanked those in attendance at March 15, 2003 meeting to discuss sewer issues.

Commissioner Thurman expressed concern over possibility of City monies being used to fund Derby breakfast. Commissioner Bowers also expressed concern with use of City funds. Parks & Recreation Director Steve Brooks reported Tourist Commission will be providing the funding for the Derby breakfast from its budget.

Commissioner Layson commented on success of March 15 meeting reference sewer issues and noted the Board of Commissioners pro-actively seeks citizen input on issues affecting them.

It was moved by Commissioner Thurman, seconded by Commissioner Bowers, that the Board meet in closed session in accordance with KRS 61.810 (1), (b), (c), and (f) to discuss property, litigation and personnel. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

(Meeting reconvened at 7:55 p.m., with all Board members present.)

It was moved by Commissioner Bowers, seconded by Commissioner Thurman, to direct the City Manager to formulate and present to the Board at its regular April, 2003 meeting a policy and procedure for handling of workers compensation permanent impairment claims and also to make a recommendation to the Board concerning four (4) such cases presently pending. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Thurman, seconded by Commissioners Bowers, that the Mayor be authorized to accept back up contract of contingent offer by MSDG Frankfort for the purchase of Lot 5-B of the Frankfort Research & Office Park, subject to the provision of terms to delete any City fiscal responsibility if generated objects are discovered on the property. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Layson, seconded by Commissioner Thurman, that the Mayor be directed to execute Memorandum of Agreement of preliminary points of agreement attendant to the proposed Paul Sawyer Library/Wapping Street (City) Parking Lot exchange agreement with the Paul Sawyer Library Board. The question was put upon the motion and the roll called. Those voting in favor of the motion were

Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

It was moved by Commissioner Roach, seconded by Commissioner Thurman, that Gary Muller, Director of Planning & Building Codes, be advanced one pay step for his one year longevity, to be retroactive to his one year anniversary date, as it was intended when the Planning Director was hired at an advanced step in salary grade that he nonetheless would fall into the longevity policy for all full-time employees as if he had not been hired at the advanced step. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Thurman, Layson, Roach and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Following no objection, meeting adjourned upon motion by Commissioner Roach, seconded by Commissioner Bowers.

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MAYOR

ATTEST:

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CITY CLERK